

IN THE SUPREME COURT OF NORTH CAROLINA

No. 557A99

FILED 16 JUNE 2000

JUDY W. HALFORD

v.

CORA WRIGHT

Appeal by defendant pursuant to N.C.G.S. § 7A-30(2) from an unpublished decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, ___ S.E.2d ___ (Nov. 2, 1999) (No. COA98-1606), affirming an order signed 23 June 1998 by Guice, J., in Superior Court, Rutherford County. Heard in the Supreme Court 17 May 2000.

Deaton & Biggers, P.L.L.C., by W. Robinson Deaton, Jr. and Lydia A. Hoza, for plaintiff-appellee.

Stott, Hollowell, Palmer & Windham, L.L.P., by Martha Raymond Thompson, for defendant-appellant.

Hedrick, Eatman, Gardner & Kincheloe, L.L.P., by Allen C. Smith and Colleen M. Crowley, on behalf of the North Carolina Association of Defense Attorneys, amicus curiae.

PER CURIAM.

For the reasons stated in the dissenting opinion by Judge Greene, the decision of the Court of Appeals is reversed and the case is remanded to the Court of Appeals for further remand to the Superior Court, Rutherford County, for proceedings not inconsistent with the dissenting opinion.

REVERSED AND REMANDED.